



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

Lee Park Suite 6010
555 North Lane
Conshohocken, Pa 19428

March 8, 1991

Russell G. Levering
Bishop Tube Co.
P.O. Box 1189
Frazer, Pa 19355

Re: Hazardous Waste Inspection
PAD081868309 / 2-26-91
East Whiteland Township
Chester County

NOTICE OF VIOLATION

Dear Mr. Levering:

This letter is to confirm the findings of the Department's referenced inspection of your hazardous waste activities. Requirements for hazardous waste facilities are contained in Chapters 260 through 270 of the Rules and Regulations of the Department. Violations of applicable sections of these regulations found during our inspection are as follows:

- 262.11 - The facility did not utilize the TCLP method for the hazardous waste determinations for their various waste streams.
- 262.34 - There were approximately 45 hazardous waste drums being stored on-site in excess of the 90 day storage limit. Also, there were 5 hazardous waste drums inside the plant which did not have a hazardous waste label affixed to them and did not have proper containment.

You are hereby notified of both the existence of these violations as well as the need to provide for their prompt correction. Toward this end, you are requested to submit to the Department within fourteen (14) days a proposed program and schedule for the abatement of these violations. The Department's inspection report contains time periods of completion of remedial actions. These reports are either enclosed or have been previously supplied to you. If your proposed abatement program indicates certain corrections cannot be completed within these time periods, you are requested to supply justification for any extensions.

Mr. Russell G. Levering

March 8, 1991

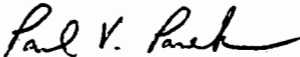
- 2 -

This letter does not waive, either expressly or by implication, the power or authority of the Commonwealth of Pennsylvania to prosecute for any and all violations of law arising prior to or after the issuance of this letter or the conditions upon which the letter is based. This letter shall not be construed so as to waive or impair any rights of the Department of Environmental Resources, heretofore or hereafter existing.

This letter shall also not be construed as a final action of the Department of Environmental Resources.

If you have any questions concerning this matter, please feel free to contact me at (215) 832-6212.

Very truly yours,



Paul V. Panek
Waste Management Specialist

cc: Mr. Bonner
Compliance
U.S.EPA
Division of Compliance & Monitoring

APR 08 1991

Hazardous Waste Inspection Report
Generators - Part A

Date of inspection February 26, 1991 Time start TSD Time finish _____
 Name of inspector Paul R. Ponck
 Company, installation name Bishop Tube Co.
 Location Rt 30 + Malin Rd FRAZER PA 19355
 County Chester Municipality East Whiteland
 Identification number PAD 0818 68309
 Name of responsible official Russell G. Levering
 Title Plant Engineer/Buyer
 Mailing address P.O. Box 1189 FRAZER PA 19355
 Area code and telephone number (215) 647-3450
 Name of person interviewed Russell G. Levering
 Title Plant Engineer/BUYER
 Mailing address (if different from above) Same
 Area code and telephone number _____

1. Current waste handling method:

- | | | | | | |
|----|--|--|-----------------------------------|--|----------------------------------|
| a. | <input type="checkbox"/> On-site | <input type="checkbox"/> treatment, | <input type="checkbox"/> storage, | <input type="checkbox"/> disposal | <input type="checkbox"/> PBR |
| b. | <input type="checkbox"/> On-site | <input type="checkbox"/> use, | <input type="checkbox"/> reuse, | <input type="checkbox"/> recycle, | <input type="checkbox"/> reclaim |
| c. | <input checked="" type="checkbox"/> Off-site | <input checked="" type="checkbox"/> treatment, | <input type="checkbox"/> storage, | <input checked="" type="checkbox"/> disposal | |
| d. | <input type="checkbox"/> Off-site | <input type="checkbox"/> use, | <input type="checkbox"/> reuse, | <input type="checkbox"/> recycle, | <input type="checkbox"/> reclaim |

2. Amount of hazardous waste produced:

a. _____ kg./mo.

b. _____ kg./yr.

3. Types of hazardous waste produced by Hazardous Waste Number:

~~SAL~~ K062, F001, 2 D001, 24. Are hazardous wastes transported off-site by the generator? ☐ Yes ☒ No

1—No Violations Observed				2—Not Applicable	3—Not Determined	4—Non-Compliance	Chapter Circulation
Status				REQUIREMENT		75.2	
1	2	3	4				
			X	Hazardous waste determination, copies available (TC Rule 262.11)		(b)	
X				Identification number		(c)(1)	
X				Hazardous waste shipments offered only to licensed transporters		(c)(4)	
		X		Authorization received from TSD facility for wastes shipped off-site		(d)	
X				PA manifest used for intrastate shipments		(e)(2)	
X				Disposer state manifest or EPA format manifest used for out-of-state shipments		(e)(3)	
X				Manifests filled out properly and completely		(e)(7)	
X				Manifests routed properly and within time limits (7 days)		(e)(14) or	
X				Proper U.S. DOT shipping containers or packages		(f)(1)(i)	
		X		Shipping containers marked and labeled according to U.S. DOT		(f)(1)(ii)	
		X		Containers of 110 gal. or less marked with required PA label		(f)(1)(iii)	
		X		Placards offered to transporter		(f)(2)	
			X	Wastes accumulated on-site for less than 90 days		(g)(1)(i)	
			X	Wastes stored in proper containers and properly marked and labeled		(g)(1)(ii)	
			X	Containers managed in accordance with 75.265(q)(1)–(9)		(g)(1)(iii)	
			X	Containers clearly marked with accumulation date and visible for inspection		(g)(1)(iv)	
		X		Records retained at designated location for 20 years		(h)	
		X		Quarterly reports submitted to the Department		(i)	
		X		Exception reporting procedures followed		(j)	
		X		Hazardous waste disposal plan, if required		(l)	
		X		Spill reporting procedures followed		(m)(1)	
X				Preparedness, Prevention and Contingency Plan and implemented		(m)(5)	
	X			Special requirements followed for international shipments		(o)	
	X			On the job or classroom personnel training program (75.265(f))		(g)(1)(6)	
			X	Drum accumulation area inspected weekly as per 75.265(q)(5)		(g)(1)(iii)	

Inspection Report Comments

Date of Inspection February 26, 1991 Identification Number PADD81868309Company/Facility/Site Name Bishop Tube Co.

On February 26, 1991, I, along with Jim Miller & Pat Watters, Waste Management Specialist Trainees, conducted a routine inspection of the above referenced facility. The following violations were observed:

1) 262.11 - The facility did not have determinations available utilizing the TCLP Method. This TCLP Method should be applied to all waste streams & the analysis should remain on file.

2) 262.34 - The facility was storing approximately 45 hazardous waste drums over the 90 day storage limit. These drums should be properly disposed of as soon as possible.

- There were 55 hazardous waste drums inside the plant which did not have the proper hazardous waste label affixed to them. Completely filled out labels should be applied immediately. Also, the 5 drums were being stored in areas which did not have proper containment.

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. The findings of this inspection are shown in this report. This inspection report shall serve as a formal notification (Notice of Violation) of any violations which were observed during the inspection. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Additional notification may be forthcoming, concerning any violations indicated herein and listing any additional violations.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed (signature)

Mailed to facility
Paul V. Parsh

Date

3/8/91

Inspector (signature)

Date

3/7/91Page 3 of 3

Hazardous Waste Inspection Report
Generators - Part A

TSD

Date of inspection June 5, 1991 Time start _____ Time finish _____Name of inspector Paul V. PonckCompany, installation name Bishop Tube Co.Location Rt 30 & Main Rd FRAZER PA 19355County Chester Municipality East WhitelandIdentification number PAD081868309Name of responsible official Russell G. LeveringTitle Plant EngineerMailing address PO Box 1189 FRAZER PA 19355Area code and telephone number (215) 647-3450Name of person interviewed JAMES AS ABOVE

Title _____

Mailing address (if different from above) SAME AS ABOVE

Area code and telephone number _____

1. Current waste handling method:

- a. ☐ On-site ☐ treatment, ☐ storage, ☐ disposal ☐ PBR
- b. ☐ On-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim
- c. ☒ Off-site ☐ treatment, ☐ storage, ☒ disposal
- d. ☒ Off-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim

2. Amount of hazardous waste produced:

a. _____ kg./mo.

b. _____ kg./yr.

3. Types of hazardous waste produced by Hazardous Waste Number and destination facility (include location and type).

Waste Number

Destination Facility

Location and Type

K062

D002, 3, 40, 19

F002

WASTE CONVERSION

F001

MOR

Hazardous Waste Inspection Report
Generators -- Part B

1--No Violation Observed				2--Not Applicable	3--Not Determined	4--Non-Compliance
Status				REQUIREMENT		Chapter Citation
1	2	3	4			262
X				Hazardous waste determination, copies available		.11
X				Identification number		.12(a)
X				Hazardous waste shipments offered only to licensed transporters		.12(d)
X				Authorization received from TSD facility for wastes shipped off-site		.13
X				PA manifest used for intrastate shipments		.20(b)
X				Disposer state manifest or EPA format manifest used for out-of-state shipments		.20(c)
X				Manifests filled out properly and completely		.23(g)
X				Manifests routed properly and within time limits (7 days)		.23(c, d, f, g, i)
X				Proper U.S. DOT shipping containers or packages		.30(1)
		X		Shipping containers marked and labeled according to U.S. DOT		.30(2)
X				Containers of 110 gal. or less marked with required PA label		.30(3)
		X		Placards offered to transporter		.33
X				Wastes accumulated on-site for less than 90 days		.34(1)
X				Wastes stored in proper containers and properly marked and labeled		.34(2)
				Containers managed in accordance with 265.171-.177 <i>SEE Comments</i>		.34(3)
X				Containers clearly marked with accumulation date and visible for inspection		.34(4)
X				Records retained at designated location for 20 years		.40
		X		Quarterly reports submitted to the Department		.41
X				Exception reporting procedures followed		.42
		X		Hazardous waste disposal plan, if required		.45
		X		Spill reporting procedures followed		.46(a)
		X		Preparedness, Prevention and Contingency Plan and implemented 265.51-.54		.34(a)(5) .46(e)
X				Special requirements followed for international shipments		50.53.55.60
X				On the job or classroom personnel training program 265.16		.34(a)(5)
		X		Drum accumulation area inspected weekly as per 265.174		.34(a)(3)
X				Manifests legible (all copies)		.23(h)
X				Tanks managed in accordance with 265.190-.195		.34(a)(2)
		X		Preparedness and Prevention as per 265.31-.37		.34(a)(5)
		X		Emergency Procedures as per 265.55-56		.34(a)(5)

Hazardous Waste Inspection Report
Land Disposal Restriction Supplemental Checklist

1-No Violation Observed				2-Not Applicable	3-Not Determined	4-Non-Compliance
Status				REQUIREMENT		Citation
1	2	3	4			40 CFR Part 268
				Generators		
X				Notification sent with shipments of wastes that do not meet treatment standards.		7(a)(1)
	X			Notification and certification sent with shipments of wastes meeting treatment standards.		7(a)(2)
X				Dilution not used as a substitute for treatment.		3
X				Records maintained of notifications, certifications, waste analysis, and documentation supporting use of knowledge for waste classification.		7(a)(5), (a)(6)
				Storage Facilities		
				Facility verifies generators classification of waste in accordance with waste analysis plan.		25 Pa Code 265.13(c)
				Containers marked to identify contents and accumulation date.		50(a)(2)
				Notification sent with shipments of wastes that do not meet treatment standards.		7(a)(1)
				Notification and certification sent with shipments of wastes meeting treatment standards.		7(a)(2)
				Facility maintains records of documents produced pursuant to LDR requirements.		7(a)(6)
				Treatment Facilities, including PBR and RRR Facilities		
				Dilution not used as a substitute for treatment.		3
				Facility tests wastes or treatment residues to determine compliance with applicable treatment standards in accordance with waste analysis plan.		7(b)
				Certification and/or notification sent with shipments of waste.		7(b)(4), (b)(5), (b)(6)
				Land Disposal Facilities		
				Facility tests wastes received to assure compliance with applicable treatment standards.		7(c)(2)
				Facility land disposes of restricted waste only if it meets applicable treatment standard.		40
				Facility retains copies of generator notifications and certifications.		7(c)(1)

Inspection Report Comments

Date of Inspection June 5, 1991 Identification Number PD0081868309Company/Facility/Site Name Bishop Tube Co.

On June 5, 1991, I conducted a follow-up inspection of the above referenced facility. There were no violations observed at the time of inspection.

Observations: The facility is currently in Chapter 7 & was not operating. All the waste that remains on-site is from the cleaning out of the equipment used in their processes. This waste was generated in April to avoid the 90-day storage limit, the facility should dispose of this material as soon as possible. Mr. Leving was advised to contact the Dept. when the facility makes this shipment.

(Waste Conversion - 56 drums 4/8/91, 5400 gal 3/14/91 & 5100 gal 3/15/91)
(11/BR1501 - 3000 gal Fuel 4/9/91 & 10 drums Fuel 4/9/91)

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. The findings of this inspection are shown in this report. This inspection report shall serve as a formal notification (Notice of Violation) of any violations which were observed during the inspection. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Additional notification may be forthcoming, concerning any violations indicated herein and listing any additional violations.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed (signature) Michael J. Mahony, Richard & Rothschild (Attorneys) Date 6/7/91
Inspector (signature) Paul Fank Date 6/7/91

Page 4 of 4

Hazardous Waste Inspection Report
TSD Facilities - Part A

TSD

Date of inspection November 5, 1991 Time start 12:45 Time finish _____

Name of inspector Paul V. Panek

Company, installation name BisHop Tube Co.

Location Rt 30 + Malin Rd. Frazer

County Chester Municipality E. Whiteland

Identification number PA0081868309

Name of responsible official Russell G. Levering

Title Plant Engineer

Mailing address P.O. Box 1189 Frazer Pa 19355

Area code and telephone number (215) 647-3450

☐ Name of person interviewed SAME AS ABOVE

Title _____

Mailing address (if different from above) _____

Area code and telephone number _____

1. Site characterization:

- | | | | | | |
|----|--|---|-----------------------------------|---|--|
| a. | <input type="checkbox"/> Treatment | <input type="checkbox"/> surface impoundments | <input type="checkbox"/> chemical | <input type="checkbox"/> physical | <input type="checkbox"/> biological |
| b. | <input type="checkbox"/> Storage | <input type="checkbox"/> containers | <input type="checkbox"/> tanks | <input type="checkbox"/> surface impoundments | <input type="checkbox"/> waste piles |
| c. | <input checked="" type="checkbox"/> Disposal | <input type="checkbox"/> land treatment | <input type="checkbox"/> landfill | <input type="checkbox"/> incineration | <input type="checkbox"/> thermal treatment |
| d. | <input type="checkbox"/> Use | <input type="checkbox"/> reuse | <input type="checkbox"/> recycle | <input type="checkbox"/> reclaim | |

☐ 2. Does the facility generate hazardous wastes? ☐ Yes ☐ No

3. Types of hazardous waste produced by Hazardous Waste Number:

4. Are hazardous wastes transported off-site by the facility? ☐ Yes ☒ No

Inspection Report Comments

Date of Inspection November 5, 1991 Identification Number PAD 081868309
Company/Facility/Site Name Bishop Tube Co.

On November 5, 1991, I conducted a TSD inspection of the
Above Referenced Facility. The facility is ~~now~~ currently under Chapter 7 &
All Processes have Ceased. The facility is not operating as a TSD. A

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

This inspection report is official notification that a representative of the Department of Environmental Resources, Bureau of Waste Management, inspected the above installation. The findings of this inspection are shown in this report. This inspection report shall serve as formal notification of any violations which were observed during the inspection. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Additional notification may be forthcoming, concerning any violations indicated herein and listing any additional violations.

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Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed (signature)

Paul V. Panel
Paul V. Panel

Date

10/5/91

Inspector (signature)

Date

10/5/91

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73D

Area code and telephone number _____

[illegible]

Hazardous Waste Inspection Report
Generators - Part B

1-No Violation Observed				2-Not Applicable	3-Not Determined	4-Non-Compliance
Status				REQUIREMENT		Chapter Citation
1	2	3	4			262
X				Hazardous waste determination, copies available		.11
X				Identification number		.12(a)
X				Hazardous waste shipments offered only to licensed transporters		.12(d)
		X		Authorization received from TSD facility for wastes shipped off-site		.13
X				PA manifest used for intrastate shipments		.20(b)
	X			Disposer state manifest or EPA format manifest used for out-of-state shipments		.20(c)
X				Manifests filled out properly and completely		.20(g)
X				Manifests routed properly and within time limits (7 days)		.23(c, d, f, g, i)
	X	X		Proper U.S. DOT shipping containers or packages		.30(1)
	X	X		Shipping containers marked and labeled according to U.S. DOT		.30(2)
		X		Containers of 110 gal. or less marked with required PA label		.30(3)
		X		Placards offered to transporter		.33
X				Wastes accumulated on-site for less than 90 days		.34(1)
X				Wastes stored in proper containers and properly marked and labeled		.34(2)
X				Containers managed in accordance with 265.171-.177		.34(3)
X				Containers clearly marked with accumulation date and visible for inspection		.34(4)
		X		Records retained at designated location for 20 years		.40
		X		Quarterly reports submitted to the Department (completed)		.41
		X		Exception reporting procedures followed		.42
		X		Hazardous waste disposal plan, if required		.45
		X		Spill reporting procedures followed		.46(a)
		X		Preparedness, Prevention and Contingency Plan and implemented 265.51-.54		.34(a)(5), .46(e)
X				Special requirements followed for international shipments		50.53.55.6
X				On the job or classroom personnel training program 265.16		.34(a)(5)
	X			Drum accumulation area inspected weekly as per 265.174		.34(a)(3)
X				Manifests legible (all copies)		.23(h)
X				Tanks managed in accordance with 265.190-.195		.34(a)(2)
		X		Preparedness and Prevention as per 265.31-.37		.34(a)(5)
		X		Emergency Procedures as per 265.55-.56		.34(a)(5)

Hazardous Waste Inspection Report

Land Disposal Restriction Supplemental Checklist

1-No Violation Observed				2-Not Applicable	3-Not Determined	4-Non-Compliance
Status				REQUIREMENT		Citation
1	2	3	4			40 CFR Part 268
				Generators		
X				Notification sent with shipments of wastes that do not meet treatment standards.		7(a)(1)
	X			Notification and certification sent with shipments of wastes meeting treatment standards.		7(a)(2)
X				Dilution not used as a substitute for treatment.		3
X				Records maintained of notifications, certifications, waste analysis, and documentation supporting use of knowledge for waste classification.		7(a)(5), (a)(6)
				Storage Facilities		
	Y			Facility verifies generators classification of waste in accordance with waste analysis plan.		25 Pa Code 265.13(c)
	X			Containers marked to identify contents and accumulation date.		50(a)(2)
	X			Notification sent with shipments of wastes that do not meet treatment standards.		7(a)(1)
	X			Notification and certification sent with shipments of wastes meeting treatment standards.		7(a)(2)
	X			Facility maintains records of documents produced pursuant to LDR requirements.		7(a)(6)
				Treatment Facilities, including PBR and RRR Facilities		
	X			Dilution not used as a substitute for treatment.		3
	X			Facility tests wastes or treatment residues to determine compliance with applicable treatment standards in accordance with waste analysis plan.		7(b)
	X			Certification and/or notification sent with shipments of waste.		7(b)(4), (b)(5), (b)(6)
				Land Disposal Facilities		
	X			Facility tests wastes received to assure compliance with applicable treatment standards.		7(c)(2)
	X			Facility land disposes of restricted waste only if it meets applicable treatment standard.		40
	X			Facility retains copies of generator notifications and certifications.		7(c)(1)

Inspection Report Comments

Date of Inspection November 19, 1991 Identification Number PAD081868309
Company/Facility/Site Name Bishop Tube Co.

On November 19, 1991, I completed a Generator Inspection of the above referenced facility. The facility has ceased operation & all hazardous waste has been removed. According to Russell Levering, no wastes remain on-site. There were no other violations observed.

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

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Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed (signature) MAILED TRUSTEE (RICHARD ROEDER ESQ) Date 11/19/91

Inspector (signature) Paul V. Panel Date 11/19/91

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